

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**JEFFREY D. HILL,**  
**Plaintiff**

**v.**

**CENTURY 21 APPRAISALS, et al.,**  
**Defendants**

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**Misc. No. 4:11-mc-00297**

**(Chief Judge Kane)**

**(Magistrate Judge Carlson)**

**MEMORANDUM ORDER**

Plaintiff Jeffrey D. Hill, a prodigiously unsuccessful litigant, instituted this action by filing a complaint on October 3, 2011 regarding the invalidity of real estate tax assessments employed in Lycoming, Pennsylvania, in 2004. (Doc. No. 1.) Hill filed three prior complaints regarding the real estate assessments, each of which were dismissed as frivolous. See Hill v. Carpenter, 323 F. App'x 167, 172 (3d Cir. 2009) (affirming dismissal of Hill's complaint); Hill v. Nassberg, 166 F. App'x 608, 610 (3d Cir. 2006) (concluding that Hill's appeal lacks legal merit); Hill v. Nassberg, 130 F. App'x 615, 616 (3d Cir. 2005) (dismissing Hill's appeal as legally frivolous). In Carpenter, the Third Circuit recommended that this "Court – after providing notice and an opportunity to respond – consider adopting an order requiring Hill to obtain certification from a United States Magistrate Judge before bringing any future action in the Middle District of Pennsylvania." 323 F. App'x at 171-72. Accordingly, on February 16, 2011, the Court entered an order advising Hill that he "is required to obtain certification from a United States Magistrate Judge prior to filing a future civil action within the Middle District of Pennsylvania." Hill v. Carpenter, No. 4:08-cv-00591, 2011 WL 676810, at \*2 (M.D. Pa. Feb. 16, 2011).

On October 5, 2011, Magistrate Judge Carlson issued a Report and Recommendation,

finding that the instant complaint fails to state a claim upon which relief can be granted and recommending that the complaint be dismissed as frivolous and that Hill not be certified to file this pleading with the Court. (Doc. No. 3.) Specifically, Magistrate Judge Carlson concluded that: (1) Hill failed to sufficiently plead a civil RICO racketeering claim; (2) the statute of limitations bars Hill's claims; and (3) the doctrine of res judicata bars Hill's claims, as his allegations concerning the Lycoming County real estate tax assessment process "has been the subject of three prior lawsuits by Hill, all of which concluded with adverse rulings on the merits of Hill's claims, finding that Hill's complaints were frivolous." (Doc. No. 3 at 7-14.) Hill filed largely unresponsive objections to the Report and Recommendations on October 11, 2011, asserting, in essence, that Magistrate Judge Carlson and Lycoming County officials are biased against him because of their alleged Republican ideologies. (Id.)

On January 20, 2012, Magistrate Judge Carlson issued a second Report and Recommendation addressing Hill's motion for a writ of mandamus, seeking to compel this Court to immediately rule on his objections to the October 5, 2011 Report and Recommendation. (Doc. No. 8.) In his report, Magistrate Judge Carlson concluded that Hill is not entitled to mandamus relief "since Hill simply has not shown that the Court's consideration of the pending report and recommendation during the past two months has been tantamount to a failure to exercise jurisdiction." (Id. at 7.) Hill did not file objections to this Report and Recommendation.

Upon a de novo review of the record and the applicable law, the Court detects no error in Magistrate Judge Carlson's October 5, 2011, and January 20, 2012, Reports and Recommendations.

**ACCORDINGLY**, on this 30<sup>th</sup> day of August 2012, **IT IS HEREBY ORDERED**

**THAT:**

1. Magistrate Judge Carlson's October 5, 2011 Report and Recommendation (Doc. No. 3) and January 20, 2012 Report and Recommendation (Doc. No. 8) are **ADOPTED**;
2. Hill's motion for a writ of mandamus (Doc. No. 7) is **DENIED**;
3. Hill's complaint (Doc. No. 1) is **DISMISSED WITH PREJUDICE**; and
4. The Court of Clerk is directed to close the case.

S/ Yvette Kane  
Yvette Kane, Chief Judge  
United States District Court  
Middle District of Pennsylvania